



The State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

May 1, 2007

The Honorable Martha Fuller Clark, Chairman  
Energy, Environment and Economic Development Committee  
Legislative Office Building, Room 102  
Concord, New Hampshire 03301

**Re: HB 663, as amended by the House, relative to the protected shoreland permitting process and funding positions within the department of environmental services.**

Dear Chairman Fuller Clark:

Thank you for the opportunity to comment on HB 663-FN, which establishes a permitting requirement and related application fee for work performed within the protected shorelands as defined under RSA 438-B, the Comprehensive Shoreland Protection Act (CSPA). HB 663-FN, as amended, proposes an application fee structure to support the implementation of the CSPA by the Department of Environmental Services (DES). HB 663-FN also proposes an initial appropriation of \$375,000 from the general fund to Department of Environmental Services (DES), with the condition that half of the fees collected shall be deposited in the general fund until the \$375,000 has been repaid. DES supports HB 663-FN, as amended, and believes that it will enhance the effectiveness and long term implementation of the CSPA.

In 2005, the Legislature established the CSPA Commission to review the effectiveness of the CSPA by passage of Senate Bill 83. In 2006, after 13 months of review, the CSPA Commission filed a final report outlining its conclusions, as well as 17 recommendations for improving the effectiveness of the CSPA. One conclusion was that the current CSPA staff of two people was inadequate to effectively implement the program, and therefore, the CSPA Commission recommended an allocation of \$600,000 per year to support additional staff and an additional \$150,000 per year for outreach and education.

HB 663-FN, as amended, replaces the proposed general fund appropriation contained in the original bill with a permit process and application fee system to adequately fund the program. Based on the proposed fee structure and estimated number of applications, DES anticipates that the revenue generated should be sufficient to fully fund the program needs and pay back the initial \$375,000 appropriation from the general fund by the end of Fiscal Year 2009.

Again, thank you for this opportunity to comment on this bill. Please feel free to call me at 271-3503, or Rene Pelletier at 271-2951, if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack  
Commissioner

cc: Representatives Spang and Foose